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U.S. BANKRUPTCY COURT
MARY A. SCHOTT, CLERK

1 Anthony G. Thomas
7725 Peavine Peak Court
2 Reno, NV 89523
Tel: (408) 640-2795
3 E-mail: atemerald2@gmail.com

4 Debtor In Propria Persona

5 UNITED STATES BANKRUPTCY COURT

6 DISTRICT OF NEVADA - RENO

7 IN RE:) Case No. BK-N-14-50333-BTB
8 ANTHONY THOMAS and) Case No. BK-N-14-50331-BTB
) (Jointly Administered)
9 WENDI THOMAS) CHAPTER 7
10 AT EMERALD, LLC) DECLARATION OF CHRIS PERNA
RE: LIMITED OPPOSITION TO ABANDON
11 Debtors.) Date: March 6th 2019
12) Time: 10:00 a.m.
13) Judge: Hon. Bruce T. Beesley
14) Courtroom: 2

14 I, Chris Perna declare:

15 1. I am submitting this Declaration in support of Debtor Anthony Thomas's
16 Limited Opposition to the Trustee's Motion to Abandon the Portola property.

17 2. I am a creditor of the Estate and wish to state on the record that I never
18 received any notice of the fact that the Trustee had taken possession and control of the
19 home that was conveyed to Anthony Thomas's parents in 2008 that was done without a
20 court order and done illegally in violation of the Bankruptcy laws that I understand that
21 this Court refuses to take judicial notice of which is an outrage in and of itself. I wish
22 this declaration to register my protest and rejection of this illegal conduct as an
23 American citizen who believes in the rule of law and our Constitution and it's prohibition
24 on any deprivation of liberty or property without due process of law.

25 3. This blatant attempt to deprive the Thomas parents of their property
26 interest was made against a couple who I have known since I moved next to the
27 Thomas family when I was 6 turning 7 years of age. I am now 56 years of age. I am
28 attaching as an Exhibit to this declaration, a true and correct copy of the cover page

1 and inside story featuring Mr. Eli & Dorothy Thomas, on the occasion of their 60th
2 wedding anniversary that took place on 10-25-2018 that was featured in the Saratoga
3 Times magazine edition of December of 2018 that I am attaching as Exhibit 1 to this
4 declaration.

5 4. It is my understanding that the Trustee and her attorney are also
6 attempting to sell the Thomas Emerald without complying with the mandatory notice
7 requirements of Bankruptcy Code Section 363(b) as well as Rules 6004 and 2002 of
8 the Bankruptcy Rules that require Court approval and 28 days notice to creditors and
9 parties in interest, with such notice to be mailed by the Clerk of the Bankruptcy Court,
10 something that is evident that has not to be complied with as a simple glance at the
11 bankruptcy court docket will attest to. I am stating unequivocally on the record that
12 neither myself or other creditors received the mandatory required notice that was
13 supposed to be mailed to myself and other creditors by the Clerk of Court according to
14 law. As such I wish to register my opposition to and protest this flagrant attempt to
15 illegally sell the Thomas Emerald without compliance with the law.

16 5. I wish to notify this Court that I shall be publicizing these illegal facts to all
17 of my friends, colleagues and other creditors with a view to opposing any such illegality
18 from occurring, that every American must oppose as a blatant illegality on its' face.

19 6. I was the one who negotiated the contract with Overstock.com. I was the
20 one who forwarded the e-mail draft of the Overstock.com to the trustee Ms. Jeri Coppa-
21 Knudsen, and am shocked that Overstock was not used to sell the Emerald, a company
22 with more than \$1 billion in sales and the ability to properly market the Thomas
23 Emerald worldwide as opposed to the insider deal where Tersini's private notary and
24 executive Jennifer Jodoin is being falsely paraded as a bona-fide purchaser for value
25 where I understand there was blatant illegality and collusion in the auction process in
26 addition to the fact that the notice requirements of the law were never complied with.

27 7. In the drafts of the contracts that I negotiated with Overstock.com, there
28 was never an issue of any \$250,000 marketing guarantee, as there never was any

1 concern or issue that we would pull the contract from Overstock.com. In any case,
2 even the changes to the Overstock.com contract requiring the marketing guarantee did
3 not as Attorney Hartman falsely inferred require any up front costs from the estate, and
4 were only to be deducted from the company's very modest 3-5% commission to be
5 earned upon the sale of the Emerald. If there were to be any charges to the Estate,
6 there was and is, from the latest draft of the overstock.com contract no up front costs to
7 the agreement, contrary to the inferences and representations made by Attorney
8 Hartman in his declaration in support of the sale of the Thomas Emerald.

9 8. In my discussions with Overstock.com, they were certain that they could
10 sell the Thomas Emerald for \$200,000,000 (\$200 Million). This makes the attempted
11 illegal auction by Stremmel Auctions for a trifling \$21K not only illegal on its' face, but
12 reeks of collusion and a rigged auction to benefit an insider creditor of the Estate who
13 was notified of the auction in preference to all other creditors of the Estate, without any
14 adequate explanation by the Trustee, her attorney or the auctioneer, who lists Tersini
15 and his attorney Wayne Silver as Emerald experts in his declaration in support of the
16 illegal sale of the Thomas Emerald.

17 I declare under penalty of perjury under the laws of the State of California, the
18 laws of Nevada and the laws of the United States that the foregoing is true and correct.
19 Executed at: San Jose, CA on February 20, 2019.

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Chris Perna - Creditor

SARATOGA

DECEMBER 2018

Spotlight

Foran & Thomas

Family, Roots and Values



Best Version Media

Cover photo by Dave Lepori



Dorothy & Eli Thomas

Family Roots and Values

By Genevieve Laucher

Family always comes first for Dorothy and Eli Thomas. They often think of their family's roots and the small mining town they grew up in. Their backgrounds helped shape them, and later their children, into the hardworking, caring people that they are.

Both Dorothy and Eli grew up in Butte, Montana. Eli's parents came from Lebanon in 1910, before Lebanon gained independence. They were sponsored at Ellis Island before moving to Montana to peddle and raise sheep, lambs, and vegetables. Eli grew up as the youngest of eleven children. When he was only two years old, his mother sadly passed away from a virus, and his older sisters promised their father that they would raise Eli and the other younger children while their father worked.

The Thomas family opened a store in front of their home with clothing and supplies for the miners, and all of the children worked hard helping in the store. As the store grew more successful, their father moved it into

town. Eli grew up and went to Gonzaga University and then served in the Army. When he returned to Butte, he bought the family store from his father and worked with his sister to expand and update the store. He later let his brother take his share in the growing business, and set out to start his own clothing business in 1957.

At the time, Eli and Dorothy were already dating. Dorothy also grew up in Butte in the Irish part of the community with her parents and two sisters. They were married in 1958, and just celebrated their 60th wedding anniversary! They stayed in Montana with Eli's clothing business for the next six years, where they were fascinated by the mining community and all of the different cultures that came together there. The area was known for its ore, which was shipped on trains all over the U.S. and on boats all around the world. The word spread that there were jobs in Montana for all different people.

Around 1963, Eli began to see mines closing around Butte, and he and Dorothy decided to move west. Eli had boxed throughout his youth and

Photos by Dave Lepori

RESIDENT FEATURE



during his four years at Gonzaga. He was an extremely talented boxer and youth boxing coach, and he got to travel around the country to compete. He was a national champion two years in a row, and he had gotten to know the San Jose State boxing coaches very well.

So when Eli and Dorothy came to the San Jose area in 1964, the boxing coach at San Jose State, Julius "Julie" Menendez really helped them out. He told Eli how fast the area, and Valley Fair Mall, were growing. Additionally, the Town and Country Village across the street, which is where Santana Row stands today, was just being built. Eli first got a job working at a store in Valley Fair. Julie helped introduce Eli to other business owners and form connections, including with the owner of Town and Country Village. With the help from his friend John, who had been his neighbor in Butte, Eli selected a corner for his business, Eli Thomas Menswear, and built out his 4,000 square foot store.

Over the years, the area and the business grew and grew. Eli and Dorothy had six children by that time, all boys. They rented a home in Cupertino for their first two years here before looking to buy a home. Eli's friend John Bielech helped them find a new home that was being built at the end of a court by the apricot and walnut orchards in Saratoga. They moved into the home in February 1966 and had their first daughter that November, followed by one more boy and one more girl. They have been in their home ever since, and their nine children loved growing up there.

It was important to Eli that their children worked, since he did as a kid and he saw the value of it, both in the community and at home. Growing up, all nine children worked at the store in various capacities. Eli got involved with the Lebanese community in the area, and found

jobs for his kids working in the apricot orchards and packing fruit. They loved it, and even learned about politics from the other farm workers. This was the time of Cesar Chavez, and they would come home excited with stories from work.

Eli's business has been successful for all these years, and to Eli, it came down to treating his customers well. Eli loved what he did and was very good at it. Their oldest son, Jim, now runs the business in Santana Row, in a new location that they moved into five years ago. Besides his store, Eli was also involved with the community in other capacities. Governor Jerry Brown appointed Eli as the commissioner of boxing and wrestling. Eli remained close with coach Julie Menendez, who went on to be the only person to coach the Olympics in two sports, boxing and soccer.

Dorothy also got involved in the community, especially as their children got a little bit older. She was involved with Eastfield Ming Quong in Campbell, which has a home for emotionally disturbed children. The shop The Butter Paddle in Los Gatos is run by volunteers, and all proceeds go towards running the home. Dorothy helped see what the home needed and raise money for it. Dorothy also was involved in the Bellarmine Mother's Guild, and was the chair for the Bellarmine Fashion Show, which supports scholarships. Additionally, Dorothy enjoyed exercising, tap, bowling, and spending time with her friends.

Dorothy and Eli now have sixteen grandchildren. Their children are very successful and they love spending time together. Although their children and grandchildren live all around the country, they come to visit Dorothy and Eli in their home frequently. They spend Thanksgiving together with the whole family, about 40 people! Dorothy and Eli feel very thankful for their history and their present lives together.

Do you know a neighbor who has a story to share?

Nominate your neighbor to be featured in one of our upcoming issues!

Contact us at glaucher@bestversionmedia.com.